



## Acts and Laws,

Passed by the Great and General Court or Assembly of His Majesty's Province of the *Massachusetts-Bay* in *New-England*: Begun and Held at *Boston*, upon Wednesday the twenty-sixth Day of *May* 1756. And continued by sundry Prorogations and Adjournment, to the thirtieth Day of *March* following, and then met.

### C H A P. XXVII.

An Act for the effectual preventing the Currency of the Bills of Credit of *Connecticut*, *New-Hampshire*, and *Rhode-Island*, within this Province.

**W**HEREAS Bills of Credit still continue current within the Governments of *Connecticut*, *New-Hampshire* and *Rhode-Island*, and have greatly depreciated in their Value, and are liable to depreciate still further; and it is of great Importance to the Interest of the Inhabitants of this Province, and to the Interest of such of his Majesty's Subjects in *Great-Britain* and elsewhere, as have Trade and Commerce here, that the Currency of said Bills should be effectually prevented throughout this Government: Preamble.

Be it therefore enacted by the Lieutenant Governour, Council and House of Representatives, That every Person within this Province, be and hereby is strictly forbidden to account, receive, take or pay any Bill or Bills of Credit of either of the Governments of *Connecticut*, *New-Hampshire* or *Rhode-Island*, in discharge of any Contract or Bargain, or for any valuable Consideration whatsoever; and that every Person who shall so account, receive, take or pay any of said Bills within this Province, shall forfeit the Sum of *Fifty Pounds* for every Offence, one Moiety thereof to his Majesty, his Heirs and Successors, to and for the Use of this Government, the other Moiety of him or them that shall sue for the same, to be recovered with full Costs of Suit, by Action of Debt in any of his Majesty's Courts of Record within the Province, or by Presentment of the Grand Jury.

Bills of Credit of *Connecticut*, *New-Hampshire* or *Rhode-Island*, not to be received or paid.

[ G g g g ]

And

## Preventing Bills of other Governments.

Persons chosen  
into any Of-  
fice to take  
the following  
Oath.

And be it further enacted, That from and after the thirtieth Day of March, which will be in the Year of our Lord One Thousand seven Hundred and fifty-seven, every Person who shall be chose to serve in any Office in any of the Towns or Districts or Precincts of this Province, shall before his Entrance upon such Office, take the following Oath, to be administred by a Justice of the Peace, or where no Justice of the Peace shall be present, by the Town, District or Precinct Clerk, who is hereby impowered to administer the same, viz.

Form of the  
Oath.

**YOU** A. B. do in the Presence of God, solemnly declare that you have not since the thirtieth Day of March 1757, wittingly and willingly directly or indirectly, either by yourself or any for or under you, been concerned in receiving or paying within this Government, any Bill or Bills of Credit of either of the Governments of Connecticut, New-Hampshire or Rhode-Island.  
*So help you GOD.*

Penalty in  
Case of Refu-  
sal to take  
said Oath.

And where any Person chosen as aforesaid shall refuse or neglect to take the Oath aforesaid on tendering the same, the Town, District or Precinct shall proceed to the Choice of another Person in his Room; and where any Person shall be elected by any Town, District or Precinct into any Office, to the Non-acceptance or Refusal whereof a Penalty is by Law annexed, such Person neglecting or refusing to take the Oath aforesaid, shall be liable to the same Penalty as is by Law provided, for the Non-acceptance or Refusal of such Office.

Persons chose  
Representa-  
tives to take  
the said Oath.

And be it further enacted, That when any Person shall be chosen to represent any Town within this Province in the General Court or Assembly, such Person so chosen shall take the Oath aforesaid, and Return shall be made by the Select-Men upon the back of the Precept, that the Person so chosen hath taken the Oath required in the Act made and passed in the thirtieth Year of his Majesty King GEORGE the Second, Intituled *An Act for the effectual preventing the Currency of the Bills of Credit of Connecticut, New-Hampshire and Rhode-Island, within this Province*: And if any Person so chosen shall refuse or neglect to take the Oath aforesaid, such Refusal or Neglect shall be deemed a Refusal to serve as a Representative, and the Town shall proceed to the Choice of another Person in his Room.

Councillors  
to take said  
Oath.

And be it further enacted, That the Oath aforesaid shall be administred to each of the Members of his Majesty's Council every Year, at the same Time when the usual Oaths required to be taken by the said Members of his Majesty's Council shall be administred: And all Officers Civil and Military within this Government, who shall be nominated or appointed, shall before they receive their respective Commissions take the Oath aforesaid, and their respective Commissions shall be otherwise void: And all Persons elected into any Office by the General Assembly, shall be deemed not qualified to enter upon the Execution of their respective Offices until they have taken the Oath aforesaid.

And also all  
Officers Civil  
and Military.

The said Oath  
to be taken  
upon issuing  
Executions on  
Judgment of  
Courts.

And be it further enacted, That no Execution shall be issued from the Office of any Clerk of any of the Inferiour Courts of Common Pleas, or of the Superiour Courts of Judicature, for any Sum whatsoever, unless the Plaintiff or Plaintiffs (suing in his or their own Right, and dwelling within this Province) shall first take the Oath aforesaid, to be administred by a Justice of the Peace or by the Clerk of the Court from which such Execution shall issue, and Certificate thereof shall be made on such Execution; and if any Execution shall issue or go forth without such Certificate, the same shall be and is hereby declared to be void; and no Licence shall be granted to, nor any Recognizance taken from any Taverner, Inn-holder or Retailer, by the Justices of



## Embargo.

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of any of the Courts of Sessions within this Province, until such Taverner, Inn-holder or Retailer shall have taken said Oath in Presence of the Court, or Certificate of his having so done from a Justice of the Peace, shall be presented to the Court.

And be it further enacted, That for every Oath administered as aforesaid Clerk's Fee. by the Clerk of any Court, he shall be allowed *three Pence*, and for every Certificate by him signed as aforesaid, *three Pence* and no more, and the Cost and Charge of such Oath and Certificate shall be added to the Sum in the Execution required, to be levied accordingly.

This Act to continue and be in Force until the last Day of *March*, which Limitation. will be in the Year of our Lord One Thousand seven Hundred and sixty-two, and no longer.

[ The foregoing Act was Published March 31st. 1757. ]

## C H A P. XXIX.

## An Act laying an Embargo upon Ships and other Vessels in this Province.

**W**HEREAS it is judged necessary for his Majesty's Service, that an Embargo should be laid upon Ships and other Vessels within this Province : Preamble.

Be it enacted by the Council, and House of Representatives, That no Vessel shall sail or depart from any Port or other Place of this Province out of it, till the twentieth Day of *April* Instant, without Leave first obtained from his Majesty's Council, or the major Part of them ; and if any Vessel shall sail or depart to any Port or Place out of said Province, without Leave first had and obtained as aforesaid, the Master of every Vessel so departing, shall forfeit and pay the Sum of *One Hundred Pounds*, and the Owner and Owners of every Vessel so departing, shall forfeit and pay the Sum of *One Hundred Pounds*, and the said last mentioned Forfeiture, shall and may be recovered from any or either of the Owners of such Vessel, where more than one Person shall be interested. Embargo on all Vessels till the 20th of April, on Penalty.

And be it further enacted, That no Fishing Vessel shall depart out of any Port or Place of this Province to the Banks of *Newfoundland*, or any other of the Banks, before the said twentieth of *April* Instant, without Leave first had and obtained as aforesaid : And the Owner or Owners of any Fishing Vessel that may depart contrary to the true Intent and Meaning of this Act, shall forfeit and pay the like Sum of *One Hundred Pounds* ; saving only such small Vessels or Boats as may be employed in catching of Fish, and that shall not be absent more than four Days at a Time, extraordinary Casualties excepted. The aforesaid Penalties to be recovered by Bill, Plaint or Information, before any of his Majesty's Courts of Record within this Province. No Fishing Vessels to sail to the Banks of Newfoundland till the said 20th of April. Saving.

And be it further enacted, That all Forfeitures by this Act, shall be one half to his Majesty, to be paid into the Province Treasury for the Use of this Province, the other half to him or them that shall inform and sue for the same. Forfeitures how to be disposed of.

And be it further enacted, That it shall and may be lawful for the Commander in Chief, or in his Absence for the Council, or the major Part of them at any Time before the said twentieth of *April*, to take off said Embargo, or to extend it beyond said Time not exceeding the first Day of *June* in the present Year of his Majesty's Reign, under the same Penalties, if in their Judgment his Majesty's Service will permit the one, or shall require the other. Power to take off or extend said Embargo.

The foregoing Act was Published April 7th 1757.

C H A P.

## Desertion of Soldiers.

## C H A P. XXIX.

An Act to prevent the Desertion of Soldiers during the present War with *France*, and the Loss of Arms, whether lent by his Majesty, or belonging to this Province.

Preamble.

**W**HEREAS Soldiers duly enlisted or impressed, or to be enlisted or impressed, have or may hereafter neglect or refuse attending at the Time and Place whereat they were or shall be ordered to Muster, or may at other Times absent themselves without Leave, from their Duty, whence much Disorder and Injustice as well as Obstruction to his Majesty's Service, may happen :

Persons Power to apprehend Deserters.

Be it therefore enacted by his Majesty's Council, and House of Representatives, That it shall and may be lawful for any Person to apprehend any one who may be suspected to be such a Deserter, if enlisted or impressed in this or either of the Neighbouring Governments, and bring him before any Justice of the Peace living in or near to the Place where he shall be apprehended, who is hereby empowered to examine such suspected Person ; and if by his Confession or the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found that such suspected Person is an enlisted or impressed Soldier, and ought to be with the Troop or Company to which he belongs, such Justice of the Peace shall forthwith cause him to be conveyed to the Goal of the County in which he shall be found, and transmit an Account thereof to the Captain of the Company, or Colonel of the Regiment whereunto he belongs, or to the Commander in Chief of this Province, to the End that such Person be sent to the Troop or Company whereunto he belongs ; and the Keeper of such Goal shall receive out of such deserting Soldier's Wages, the same Allowance as he would be intitled to by Law, if said Soldier had been imprisoned for Debt.

Deserters to be committed to the Goal of the County in which they shall be found.

*And for the Encouragement of any Person or Persons to apprehend and secure any deserting Soldier :*

Reward for apprehending Deserters.

Be it further enacted, That upon Certificate of such Justice of the Peace to the Province Treasurer, setting forth who the Person was that apprehended and secured such Deserter, there shall be paid him out of the Province Treasury, *forty Shillings*, and the Cost of Prosecution, both to be deducted out of such Deserter's Wages ; as also the Charge of keeping him in Goal, and of returning him to the Troop or Company whereunto he belongs.

Penalty for harbouring or concealing said Deserters.

And be it further enacted, That if any Person shall harbour, conceal or assist any Deserter from his Majesty's Service, knowing him to be such, the Person so offending shall forfeit for every such Offence the Sum of *five Pounds*, or if any Person shall knowingly detain, buy or exchange, or otherwise receive any Arms belonging to his Majesty, or to this Province, lent to the Soldiers raised by this Government, from any Soldier or Deserter, the Person so offending shall forfeit for every such Offence the like Sum of *five Pounds* ; and in either Case upon Conviction by the Oath of one or more credible Witness or Witnesses, before two of his Majesty's Justices of the Peace *Quorum Unus*, who are hereby empowered and directed to try and determine the same, and to cause said Penalties to be levied by Distress and Sale of the Goods and Chattels of the Offender, one Moiety thereof to be to and for the Use of the Informer, the other Moiety to be paid into the Province Treasury for the Use of the Province, said Penalties to be recovered by Plaint or Information ; but in Case said Offender doth not pay the same and the Costs of Prosecution, or shew of his Goods or Chattels whereon

Penalty for detaining, exchanging or buying Arms from any Soldier or Deserter.

Penalties how to be levied and disposed of.

Distress

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## Supply of the Treasury.

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Distress may be made to satisfy the same, within four Days after such Conviction, then and in such Cases said Justices shall and may by Warrant under their Hands and Seals, either commit such Offender to the Common Goal, there to remain without Bail or Mainprize for the Space of two Months, or cause such Offender to be publicly whipped not exceeding twenty Stripes, at the Discretion of said Justices; saving always to the Party aggrieved at the Sentence of said Justices, a Liberty of Appeal to the Court of General Sessions of the Peace.

And be it further enacted, That it shall and may be lawful for any Justice of the Peace or Military Officer, to seize any such Arms and send the same to the Commissary-General of this Province, and all reasonable Charges shall be allowed therefor.

Justices Power to seize Arms.

And be it further enacted, That whatsoever Soldier shall receive of his Captain, Arms belonging to his Majesty or this Province, and shall not return the same to his Captain or the Commanding Officer upon the Expedition's being over, or his being dismissed, such Soldier shall forfeit and pay *three Pounds ten Shillings* for each Gun and Bayonet, or *three Pounds* for a Gun, and *ten Shillings* for a Bayonet not returned, to be deducted out of his Wages.

Penalty for Soldiers not returning Arms.

[ The foregoing Act was Published April 8th. 1757. ]

## C H A P. XXX.

## An Act for supplying the Treasury with the Sum of Twelve Thousand Pounds.

**W**HEREAS the Provision already made to defray the Expences of the late Expedition against Crown-Point, are insufficient for that Purpose: Preamble.

Be it therefore enacted by the Council and House of Representatives, That the Treasurer of the Province be and he hereby is impowered and directed to borrow from such Person or Persons as shall be willing to lend the same, said Sum of *Twelve Thousand Pounds* in mill'd Dollars at *six Shillings* each, or in other Silver at *Six Shillings and eight Pence* per Ounce, and the Sum so borrowed shall be applied in Manner as in this Act is hereafter directed: And for said Sum of *Twelve Thousand Pounds*, the Treasurer shall give his Receipt as in the Form following, viz.

Treasurer impowered to borrow £. 12,000

Province of the Massachusetts-Bay.

The \_\_\_\_\_ Day of \_\_\_\_\_ 1757. Form of  
Received of \_\_\_\_\_ the Sum of \_\_\_\_\_ for the Use and Service Treasurer's  
of the Province of the Massachusetts-Bay; and in Behalf of said Province Receipt.  
I do hereby promise and oblige my self and Successors in the Office of Treasurer, to repay the said \_\_\_\_\_ or Order the first Day of June 1758,  
the aforesaid Sum of \_\_\_\_\_ in Coined Silver at Six Shillings and  
eight Pence per Ounce, or Spanish mill'd Dollars at Six Shillings each,  
with Interest annually, at the Rate of six per Cent. per Annum.

Witness my Hand,

H. G. Treasurer.

And no Receipt shall be given for less than Twenty Pounds.

And be it further enacted, That the aforesaid Sum of *Twelve Thousand Pounds* when received into the Treasury, shall be issued out in Manner and for the Purposes following, That is to say, *Six Thousand Pounds*, Part of said Sum of *Twelve Thousand Pounds* shall be applied for the Payment and Discharge of the Officers and Soldiers upon the Expedition against Crown-Point the last Year; and the further Sum of *One Thousand Pounds*, Part of

£. 6000 for Payment of Officers and Soldiers.

[ H h h h ]

said

## Supply of the Treasury.

£12000 Com-  
mittee of War.

£.3000 Pre-  
miums and  
Grants.

£.2000 for  
the preſent  
Expedition.

Tax of £13,  
500, granted  
in 1758.

Rule for Ap-  
portioning the  
Tax in Caſe  
no Tax Act  
ſhall be agreed  
on.

Parliamentary  
Grant when  
received as a  
further Fund.

Proviſo in  
Caſe the Mo-  
ney ſhould be  
received on or  
before the  
20th of June.

Further Pro-  
viſo.

Warrants to  
exprefs the  
particular Ap-  
propriation.

ſaid Sum of *Twelve Thouſand Pounds* ſhall be paid into the Hands of the Committee of War for the Service of this Government, towards de- freying the Charges of ſaid Expedition; and the further Sum of *Three Thouſand Pounds*, Part of ſaid Sum of *Twelve Thouſand Pounds* ſhall be ap- plied for the Payment of ſuch Premiums and Grants that now are, or may hereafter be made by this Court; and the further Sum of *Two Thouſand Pounds*, being the Remainder of ſaid Sum of *Twelve Thouſand Pounds*, ſhall be applied for the Payment of Billeting the Soldiers upon the preſent Ex- pedition.

*And to enable the ſaid Treafurer to diſcharge the ſaid Obligations, and the Intereſt that ſhall be due thereon:*

**Be it further enacted**, That there be, and there hereby is granted to his moſt excellent Maſteſty a Tax of *Thirteen Thouſand five Hundred Pounds*, to be levied upon Polls and Eſtates within this Province, according to ſuch Rules and in ſuch Proportions as ſhall be ordered by the General Court of this Province, at their ſeſſions in *May One Thouſand ſeven Hundred and fifty ſeven*.

**And be it further enacted**, That in Caſe the General Court ſhall not by the twentieth Day of *June One Thouſand ſeven Hundred and fifty ſeven*, agree and conclude upon a Tax Act to draw into the Treafury the aforeſaid Sum of *Thirteen Thouſand five Hundred Pounds* by the thirty-fiſt Day of *March* then next following, that then the Treafurer of the Province for the Time being, ſhall iſſue his Warrants directed to the Select-Men or Aſ- ſeſſors of the ſeveral Towns and Diſtricts within this Province, requiring them reſpectively to aſſeſs, levy and pay into the Treafury by the ſaid thirty- fiſt Day of *March* their reſpective Proportions of ſaid Sums according to the Rates and Proportions, Rules and Directions of the Tax Act then laſt preceeding.

*And whereas humble Truſt and Dependance is had by the General Aſſembly on a Reimburſement of the Charges ariſing from the Expeditions, and Monies for that Purpoſe are expected from Great Britain:*

Wherefore as a further Fund to enable the Treafurer to diſcharge the Re- ceipts and Obligations aforeſaid by him given in Purſuance of this Act;  
**Be it further enacted**, That the Monies that ſhall be received from *Great Britain* ſhall be applied by the ſaid Treafurer, or ſo much thereof as ſhall be needful for the diſcharging ſuch Obligations, with the Intereſt that may be due thereon, in Purſuance of this Act.

*Provided always* (any Thing in this Act to the contrary notwithstanding) that in Caſe the Monies aforeſaid ſhall arrive from *Great Britain*, and be re- ceived into the Province Treafury, on or before the twentieth Day of *June One Thouſand ſeven Hundred and fifty ſeven*, over and above what ſhall be ſufficient to repay the Sums borrowed by Virtue of the Act aforeſaid, and ſhall be ſufficient for diſcharging the Obligations given by the Treafurer in Purſuance of this Act, then and in ſuch Caſe the Tax which otherwiſe by this Act is ordered to go forth, ſhall be and hereby is declared to be null and void.

*Provided alſo*, that the Remainder of the Sum that may be brought in by the Tax ordered by this Act to be aſſeſſed and levied over and above what ſhall be ſufficient to diſcharge the Obligations aforeſaid (with the In- tereſt that may be due thereon,) ſhall be and remain as a Stock in the Treafury, and be applied as the General Court of this Province ſhall hereafter order.

**And be it further enacted**, That the Treafurer is hereby directed and ordered to pay the ſaid Sum of *Twelve Thouſand Pounds* out of ſuch Ap- propriations



## Superiour Courts. Vessels of War.

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propriations as shall be directed by Warrant and no other; and the Secretary to whom it belongs to keep the Muster-Rolls and Accompts of Charge, shall lay before the House of Representatives, when they direct, such Muster-Rolls and Accompts after Payment thereof.

*The foregoing Act was Published April 21st 1757.*

## C H A P. XXXI.

An Act appointing the Times for holding the Superiour Courts of Judicature &c. in the Counties of *Plymouth* and *Barnstable* for the present Year.

**W**HEREAS in and by a late Act Intituled An Act for altering the Times appointed for holding the Superiour Court of Judicature &c. in the Counties of *Plymouth*, *Bristol* and *Barnstable*, it is provided, That his Majesty's Superiour Court of Judicature, Court of Assize and General Goal Delivery shall for the future be held at *Plymouth* within and for the County of *Plymouth*, on the last Tuesday of April annually; and that the said Court shall be held at *Barnstable* for the Counties of *Barnstable* and *Dukes County* on the first Tuesday of May annually: And whereas since the passing said Act the Administration of Government hath by the Death of the late Lieutenant Governour devolved on his Majesty's Council; whereby a general Attendance of the Members of said Council, three of whom are Justices of the said Court, is rendred more especially requisite at this Time:

Be it therefore enacted, That the said Court for the present Year shall be held at *Plymouth* within and for the County of *Plymouth* on the third Tuesday of July next: And at *Barnstable* for the Counties of *Barnstable* and *Dukes County* on the fourth Tuesday of July next.

And be it further enacted, That all Writs and other Proceffes already issued returnable to the said Court, shall be returned, and all Matters depending at the said Court in either of said Counties shall be proceeded on, at the Days respectively appointed by this Act for holding the same: And all Officers and other Persons concerned are required to conform themselves accordingly.

## C H A P. XXXII.

An Act for the Encouragement of Seamen to enlist themselves in such Vessels of War as are or shall be Commissioned and fitted out by the Government during the present War with *France*.

**I**T is enacted by the Council and House of Representatives, That the Officers and Ships Company of such Vessels of War as are or shall be Commissioned by, and fitted out by this Government, during the present War with the *French*, shall have the sole Interest and Property of and in all and every Ship, Vessel, Goods and Merchandize, as they or either of them have or shall seize or take from the *French King*, his Vassals or Subjects from the first of April Instant, during the present War with the *French*, the said Vessels with the Goods and Merchandize so taken to be divided amongst the Captors in such Proportions and by such Rules as are established for the Royal Navy; and the Captain, Officers and Ships Company shall appoint their respective Agents for the Receiving, Management and Distribution of their particular Shares accordingly.

## C H A P.

## Valuation of Estates.

C H A P. XXXIII.

## An Act for Enquiring into the Rateable Estates of the Province.

Preamble.

**W**HEREAS the Rateable Estates of the several Towns and Districts in this Province, may be very much altered since the last Valuation taken by this Court :

A Valuation  
to be taken of  
the Rateable  
Estates of the  
Province.

Directions for  
taking the  
same.

Be it enacted by the Council and House of Representatives, That the Assessors of each Town and District within this Province, who shall have been or may be chosen for the Year One Thousand seven Hundred and fifty seven, shall on Oath take and lodge in the Secretary's Office by the last Wednesday in November One Thousand seven Hundred and fifty seven, a true and perfect List, according to their best Skill and Understanding, and conformable to a List settled and agreed on by the General Court, and to be recorded in the Secretary's Office ; a printed Copy of which shall be by the Treasurer of the Province sent to the Clerk of each Town and District, herein setting forth an Account of all Male Polls of sixteen Years old and upwards, whether at Home or Abroad, distinguishing such as are exempt from Rates thro' Age or otherwise, and of all Rateable Estates both Real and Personal within their respective Towns and Districts, and all Farms or Parcels of Land lying adjacent to, and rated in such Town or District, and by whom occupied, and what each Person's Real Estate within the Town or District, or adjoining as aforesaid, may Rent for by the Year, exclusive of Taxes and necessary Repairs of Buildings and Fences, and of all Wharves, Warehouses, Grist-Mills, Fulling-Mills, Saw-Mills, Iron-Works and Furnaces, and what they may severally Rent for by the Year, exclusive of Repairs ; and of all Indian, Negro and Mollato Servants, whether for Life, or for a Term of Years ; and what Number of Tuns of Open and Deck'd Vessels, Trading Stock Abroad at the first Cost, Trading Stock at Home at the Retail Price wherever it is, Money at Interest which any Person has more than he pays Interest for, Value of Rents of Real Estates not in their own Improvement, and of Annuities, Value of Debts due to, more than is due from any Person, and Money in Hand, provided it be so much as *Ten Pounds* ; and of all Horses, Oxen, Cows, Goats, Sheep, and Swine, at the respective Ages set down in said List ; and the said Assessors in taking such Valuation shall distinguish the different Improvements of the Real Estates into the following Parts, *viz.* Dwelling Houses with the Number of Acres of Pasture, Tillage Land, Salt, fresh and English mowing Land and Orchard, and what Stock the Pasture is ordinarily capable of feeding, and what Quantity of Produce the said Tillage, Mowing and Orchard Land yearly affords one Year with another, excepting that the Governour, Lieutenant-Governour, President, Fellows, Professors and Tutors of *Harvard-College*, settled Ministers, and Grammar School-Masters with their Families, for their Polls and for their Estates in their own actual Improvement, shall be exempted out of this Act. And the said Assessors before they enter on this Work, shall take the following Oath, *viz.*

Form of the  
Assessors  
Oath.

**Y**OU A. B. being chosen Assessor for the Town of B. for the Year One Thousand seven Hundred and fifty seven, do Swear, that you will faithfully and impartially according to your best Skill and Judgment, do and perform the whole Duty of an Assessor, as directed and enjoined by an Act of this Province made the present Year, intituled An Act for Enquiring into the Rateable Estates of the Province, without Favour or Prejudice.

So help you GOD.

Which



## Lottery.

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Which Oath, (in such Town or District where no Justice of the Peace dwells) may be administred by the Town or District Clerk; and every Assessor who shall have been or may be chosen by any Town or District in the Year One Thousand seven Hundred and fifty seven (accepting such Choice) that shall refuse to take the said Oath, or taking the same shall neglect or refuse to do the Duty required by this Act, or shall any Ways prevaricate therein, shall for each of these Offences forfeit and pay a Fine of *One Hundred Pounds*; and every Person refusing or neglecting to give such Assessor or Assessors in Writing and on Oath, (which the Assessors respectively are required and impowered to administer) a true Account of his Rateable Estate, Improvements or Rents, agreeable to the true Intent of this Act, shall for each Offence forfeit and pay the Sum of *One Hundred Pounds*; Which Oath shall be in the following Form, viz.

Fine for Assessors Neglect.

Fine for refusing to give the Assessors a true Account.

**Y**OU C. D. do swear, that the Account now exhibited by you is to the best of your Knowledge and Judgment a full Account of all your Rateables, agreeable to the List referred to in the Act made in the Thirtieth Year of his present Majesty's Reign, Intituled An Act for Enquiring into the Rateable Estates of the Province. So help you GOD.

Form of the Oath.

And every Assessor shall be allowed out of the Treasury of his respective Town or District the Sum of *three Shillings* for every Day he shall be necessarily employed in doing the Duty enjoined by this Act. Assessors Pay.

And be it further enacted, That the Assessors of each Town and District in this Province who were chosen for the Year One Thousand seven Hundred and fifty six, shall by the abovesaid last Wednesday in November One Thousand seven Hundred and fifty seven, transmit to the Secretary's Office a true and perfect Copy on Oath of the List and Valuation of Estates, by which they made the Taxes in their particular Towns and Districts for the Year One Thousand seven Hundred and fifty six, and also a true Copy of the Province Tax made by such List and Valuation, on Penalty that each Assessor neglecting his Duty therein, shall forfeit and pay the Sum of *Twenty Pounds*: All Fines and Forfeitures arising by this Act may be recovered by Bill, Plaint or Information, or by Action of Debt in any of His Majesty's Courts within this Province, proper to try the same, and shall be applied, One Third to him or them that shall inform or sue for the same, and the other two Thirds to his Majesty, to and for the Use of this Government.

Copies of the last Year's Lists to be lodg'd in the Secretary's Office.

Manner of recovery and disposal of Fines.

## C H A P. XXXIV.

An Act for raising a Sum of Money by Lottery for the Encouragement of the Settlement called *Germantown* in the Town of *Braintree*.

**W**HEREAS this Court are willing to give all due Encouragement to such foreign Protestants as are come over Sea to reside within this Province, those particularly who have settled together in a Place called *Germantown*, within the Township of *Braintree* in the County of *Suffolk*, and for divers Years past have carried on certain Manufactures there, whereon they altogether depend for a Livelibood: And whereas *J seph Palmer* of said *Germantown*, Gentleman, hath represented that certain of the said Manufactures (particularly that of *Glass*) wherein he is a principal adventurer, are, by the Consumption of some of the Buildings by Fire and otherwise, declined and gone to decay, and hath thereupon prayed for the Aid of this Court:

Preamble.

[ I i i i ]

Bc

*John Quincy, Josiab Quincy, Thom. Flucker, and Isaac Winslow, Esqrs; with Mr. Edward Jackson, Merchant, all of the County of Suffolk, or any three of them, be and hereby are allowed and impowered to set up and carry on a Lottery in the Town of Braintree, to enable Mr. Joseph Palmer to carry on certain Manufactures.*

**Be it therefore enacted by the Council and House of Representatives,** That *John Quincy, Josiab Quincy, Thomas Flucker, and Isaac Winslow, Esqrs; with Mr. Edward Jackson, Merchant, all of the County of Suffolk, or any three of them, be and hereby are allowed and impowered to set up and carry on one or more Lottery or Lotteries, amounting in the whole to such a Sum as by drawing or deducting ten per Cent. out of the same, or out of each Prize or Benefit Ticket, may raise the Sum of Twelve Hundred and fifteen Pounds and no more, and that the said Sum be by them or any three of them, applied within twelve Months from and after drawing the first of the Lotteries aforesaid (in the first Place) to the Payment of the Charges of such Lottery or Lotteries, and (then) the Remainder to the Erecting on the said Joseph's Lands there, such Buildings and Conveniencies for carrying on the Manufactory aforesaid, as by the said Joseph shall be thought most suitable for that Purpose, and for Repairing such as remain unconsumed by Fire: And that the said John Quincy, Josiab Quincy, Thomas Flucker, Isaac Winslow, and Edward Jackson, or any three of them, be the Managers of said Lottery or Lotteries, and impowered to make all suitable and necessary Rules for the managing thereof, and shall be Sworn to the faithful Discharge of their said Trust; and as well the said Managers as the said Joseph, shall enter into Bonds to the Province Treasurer, that the Sum so raised shall be applied as soon as may be to the Purposes designed as aforesaid, and they shall be and are hereby declared answerable to the Owners of the Tickets in Case of any Deficiency or Misconduct.*

Said Persons or any three of them to be Managers of said Lottery.

Said Palmer to give Bond.

Privileges granted to said Palmer, and Duties enjoined.

Provido.

**And be it further enacted,** That the said Joseph shall give Bond (with sufficient Sureties) of such Tenor and Form, as a Committee of this Court (to be chosen for that Purpose) shall direct, for the carrying on the Manufactures heretofore begun there, for the Term of seven Years next after the said Buildings and Conveniencies are finished, and that he his Heirs or Assigns, will employ therein at least twenty Manufacturers, a List of whose Names shall be transmitted yearly by the said Joseph his Heirs or Assigns, some Time in the Month of February, to the Commander in Chief for the Time being, which said twenty Manufacturers shall be exempted from Impresses and all military Duty so long as they continue in said Manufactures.

**And be it further enacted,** That if the said Joseph his Heirs or Assigns shall not carry on or cause to be carried on the said Manufactures for and during the Term of seven Years as aforesaid, in such a Manner that at least twenty Manufacturers shall be therein employed, then and in that Case the said Buildings and Conveniencies, together with the Lands whereon they shall be erected, shall become the Property of this Province, and the said Joseph his Heirs or Assigns shall execute and deliver to the Province Treasurer for the Time being a sufficient Deed of Conveyance of such Lands and Premises for the Use of the Province, or otherwise shall pay into the Province Treasury the neat Proceeds of such Lottery or Lotteries, at the Election of the said Joseph, his Heirs or Assigns.

**Provided,** That the Lottery or Lotteries hereby allowed shall not be set up before the first Day of September next.

[ The four foregoing Acts Published April 25. 1757 ]

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B O S T O N, N. E.

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